



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: NAGATAKE et al.

Serial No.: 09/868,106

Filed: June 14, 2001

Art Unit: 1614

Examiner: R. Cook

Attorney Docket No.: JG-HK-5084

PREVENTIVE AGAINST  
RESPIRATORY INFECTION  
DISEASES

TECH CENTER 2000  
JUL 18 2003

JUL 18 2003

#12  
JLP  
11/24/03  
RECEIVED

Commissioner of Patents  
MAIL STOP RCE  
P.O. Box 1450  
Alexandria, VA 22313-1450

CUSTOMER NO. 026418

**PETITION AND FEE FOR EXTENSION OF TIME  
PURSUANT TO 37 C.F.R. § 1.136(a)**

Dear Sir:

Applicant hereby petitions for an extension of time for a total period of one month, through and including July 14, 2003, to respond to the final Office Action mailed on March 12, 2003. If an additional extension of time is required to insure that this paper is timely filed, please consider this a petition therefor.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.10(a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being

**MAILED**

deposited with the United States Postal Service on July 14, 2003 with sufficient postage as EXPRESS MAIL NO. EV 291 443 678 US in an envelope addressed to the:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Danielle Johnson*  
(Signature of person mailing paper or fee)

transmitted by facsimile on [date] to the U.S. Patent and Trademark Office.

(Signature of person mailing paper or fee)

07/17/2003 RMEDRAHT 00000096 09868106

02 FC:1251

110.00 DP

The Request for Continued Prosecution and Submission for which this extension is requested

is filed herewith.

has been filed.

The response is the filing of a continuing application on the same date hereof, and the abandonment of this application is expressly conditioned on the granting of a filing date for the continuing application.

Applicant is

a small entity - verified statement

is attached.

has been filed.

other than a small entity.

The extension fee required under 37 C.F.R. § 1.17(a)(1)-(a)(5) is calculated below:

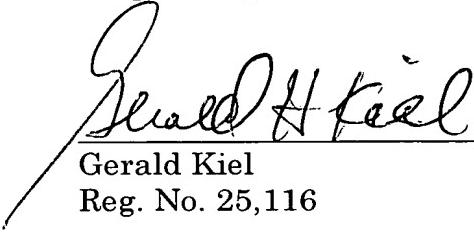
<u>ENTITY</u>	<u>LARGE ENTITY</u>	<u>SMALL</u>
<input checked="" type="checkbox"/> one month	\$ 110	\$ 55
<input type="checkbox"/> two months	\$ 410	\$ 205
<input type="checkbox"/> three months	\$ 930	\$ 465
<input type="checkbox"/> four months	\$1,450	\$ 725
<input type="checkbox"/> five months	\$1,970	\$985
<b>Fee:</b>	<b>\$110.00</b>	<b>\$[amount]</b>

Applicant encloses herewith a check for \$110.00 to cover the extension of time fee for one month.

The Commissioner is authorized to charge the \$[amount] extension fee to Deposit Account No. 50-1529.

The Commissioner is hereby authorized to charge payment of any additional extension fees associated with this communication or credit any overpayment to Deposit Account No. 50-1529. A duplicate copy of this petition is attached.

Respectfully submitted,

  
Gerald Kiel  
Gerald Kiel  
Reg. No. 25,116

REED SMITH LLP  
599 Lexington Avenue  
29<sup>th</sup> Floor  
New York, NY 10022-7650  
(212) 521-5400

Attorney for Applicant